

**REMARKS/ARGUMENTS**

Reconsideration of this application is respectfully requested.

Claims 1-4 and 6-13 are pending in the application with claim 5 having been canceled, claims 2, 6, and 8 having been amended, and new claim 13 added.

New claim 13 is former claim 5 rewritten in independent form incorporating the features of claim 1 upon which claim 5 was dependent. Claim 5 has been canceled.

The specification has been amended to correct two erroneous references to previous examples in the specification.

Claim 1 has been rejected under 35 U.S.C. 102(b) as being anticipated by Shuichi (JP 02091943).

Claim 1 is directed to a process for the production of alkyl salicylic acids comprising reacting salicylic acid with an *olefin* having at least four carbon atoms at elevated temperature in the presence of a perfluoroalkylsulfonic acid, an alkylsulfonic acid, or an acidic clay as a catalyst.

Shuichi discloses reacting salicylic acid with *a styrenic compound*, e.g., styrene or  $\alpha$ -methyl styrene, in the presence of an organic sulfonic acid or inorganic acid in an aliphatic carboxylic acid to provide a salicylic acid derivative such as 3,5-bis( $\alpha$ -methylbenzyl) salicylic acid.

Styrenic compounds are *not* olefins, they are vinyl aromatic hydrocarbons. Olefins are unsaturated aliphatic hydrocarbons.

Accordingly, it is requested that the rejection of claim 1 under 35 U.S.C. 102(b) as being anticipated by Shuichi be withdrawn.

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**Amdt. dated November 5, 2004**  
**Reply to Office Action of September 30, 2004**

It is noted that this ground of rejection was not applied to claims 2-5, which were only objected to because of their dependency upon rejected claim 1. Claims 6-12 have been found allowable. As mentioned above, claim 5 has been rewritten as new claim 13. Claims 2, 4, and 6 are dependent, either directly or indirectly, upon claim 13. Accordingly, it is submitted that claims 2, 4, 6, and 13 are now allowable.

Claim 3 remains dependent upon claim 1, which, as has been pointed out above, is not anticipated by Shuichi. It is submitted that claim 3 is also allowable.

Claims 2 and 8 have been amended to correct a typographical error.

In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,

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